



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JOANNA REESE on behalf of a minor O.R., :
 :
 Plaintiff, :
 :
 - against - :
 :
 COMMISSIONER OF SOCIAL SECURITY, :
 :
 Defendant. :
-----X

19 Civ. 1547 (JMF) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

On February 24, 2020, Defendant Commissioner filed a motion to reverse and remand for further administrative proceedings the Commissioner's decision denying Plaintiff's claim for Social Security Disability benefits for the reason that the Administrative Law Judge overlooked certain evidence in the record. In situations such as this, the parties may, and often do, agree by stipulation for the matter to be reversed and remanded without need for further briefing. By Order date February 25, 2020, the Court directed Defendant to notify the Court (1) whether Defendant has sought and obtained Plaintiff's agreement with the proposed relief; (2) if so, whether the parties will file a stipulation to that effect; and (3) if not, why not. By letter dated March 2, 2020, Defendant notified the Court that Defendant had attempted to speak with Plaintiff by telephone but that Plaintiff declined to do so.

Accordingly, by **March 17, 2020**, Plaintiff Joanna Reese shall inform the Court by letter whether she agrees to having the decision of the Commissioner of Social Security reversed and remanded for further proceedings. If Plaintiff does not agree to reversal and remand, her papers in opposition to the Commissioner's motion will remain due by April 24, 2020.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: March 3, 2020
New York, New York

Copies transmitted to all counsel of record and mailed to:

Joanna Reese
4416 Matilda Avenue, Apt. 2
Bronx, NY 10470